

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERZY JUCHA,

Plaintiff,

v.

JORDAN ALBRANDT,

Defendant.

Case No. [22-cv-00589-SK](#)

ORDER TO SHOW CAUSE

On January 28, 2022, the Court issued an order setting an initial case management conference for May 2, 2022. (Dkt. No. 3.) On April 27, 2022, the Court continued the case management conference to June 13, 2022. (Dkt. No. 11.) The Court required Plaintiff to file a case management statement by June 6, 2022. (*Id.*) Plaintiff failed to do so. On Monday, June 13, 2022, the Court held the initial case management conference in this matter by Zoom, but Plaintiff did not appear. Therefore, the Court HEREBY ORDERS Plaintiff TO SHOW CAUSE why this case should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff shall file a written response to this Order to Show Cause (“OSC”) by no later than June 30, 2022. Plaintiff is admonished that, if he fails to file a response to this OSC by June 30, 2022, the Court will reassign this matter and issue a report and recommendation that this matter be dismissed for failure to prosecute.

In the Order continuing the case management conference, the Court noted that while the U.S. Marshal for the Northern District of California was ordered to serve Defendant Police Officer Jordan Albrandt, the summons was returned unexecuted. (Dkt. No. 10.) The U.S. Marshal certified that they were unable to locate the individual. The Court reminded Plaintiff that he has the ultimate responsibility to serve Defendants and explained that if Plaintiff had additional information about how to locate Defendant Albrandt, Plaintiff should provide such information. It

1 is not clear whether Plaintiff has done so. In his response to the OSC, Plaintiff shall explain
2 whether he has any additional information about how to locate and serve Defendant Albrandt.

3 Moreover, the Court notes that while Plaintiff includes the City of El Cerrito as a
4 defendant in the case caption, Plaintiff did not list the City of El Cerrito as a defendant in the
5 section describing the parties to the Complaint. Plaintiff shall clarify in his response to the OSC
6 whether he intended to assert claims against the City of El Cerrito.

7 The Court again advises Plaintiff that the district court has produced a guide for *pro se*
8 litigants called Representing Yourself in Federal Court: A Handbook for Pro Se Litigants, which
9 provides instructions on how to proceed at every stage of your case, including discovery, motions,
10 and trial. It is available electronically online (<http://cand.uscourts.gov/prosehandbook>). The
11 Court further advises that Plaintiff may call the Legal Help Center at (415) 782-8982 for a free
12 appointment with an attorney who may be able to provide basic legal help, but not legal
13 representation.

14 **IT IS SO ORDERED.**

15 Dated: June 21, 2022

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17 SALLIE KIM
18 United States Magistrate Judge
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